IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 9725 of 2005

Between:

1 C. Purushotam, S/o. Purushotham,
Shramika Working at Zonal Work Shop, APSRTC, Kadapa,
R/o. Kadapa, Kadapa District.
2 K.N.V. bhaskar, S/o. Narayana Swamy,
Shramika Working at Zonal Work Shop, APSRTC, Kadapa,
R/o. Kadapa, Kadapa District.

..... PETITIONER(S)

AND

1 The APSRTC, Rep. by its Regional Manager, Kadapa Region, Kadapa.
2 The APSRTC, Rep. by its Works Manager, Zonal Work Shop, Kadapa, Kadapa District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of MANDMAUS declaring the action of the respondents herein in not granting the selection grade scale Stagnation increment to the petitioners on completion of 12 years service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to allow the stagnation increment to the Petitioners on completion of 12 years of service from the date of their initial appointment irrespective of their transfer from one place to another and to pay the arrears by refixing the pay of the Petitioners forthwith.

Counsel for the Petitioner:MR.S.M.SUBHAN

Counsel for the Respondent Nos.1 and 2: MR.P.VINAYAKA SWAMY

The Court at the admission stage made the following O R D E R:

Heard both sides and at their request the writ petition is taken up for disposal at the stage of admission.

The grievance of the petitioner is that the respondent-Corporation is not giving the Special Grade/Stagnation Increments to them with effect from their completion of 12 years of service in the Corporation.

The purport of the decision reported by this Court in W.A.No.1301 of 2000 dated 29.10.2002, is that the entire service of the petitioner in the Corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increment. Certain guidelines have been framed by the respondent-Corporation, more particularly, in circular No.P.D-113/1989, dated 03.06.1989, for grant of stagnation increments. Therefore, it is for the respondent-Corporation to decide the matter whether the petitioner is entitled for the stagnation increments in pursuance of the aforesaid circular order. Therefore, a direction is given to the respondent-Corporation to give Special Grade/Stagnation Increments as per the rules taking into account the petitioners' total service of 12 years in the Corporation.

The writ petition is accordingly disposed of. In the circumstances no costs.

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(K.C.BHANU,J)

Dt:27th April, 2005

usd

To

1 The APSRTC, Rep. by its Regional Manager, Kadapa Region, Kadapa.
2 The APSRTC, Rep. by its Works Manager, Zonal Work Shop, Kadapa, Kadapa District.

3 Two CD copies.